

FRANKLIN COUNTY COMMISSIONERS
ORDINANCE NO. 2009 - 12

AMENDED ORDINANCE REGULATING THE USE OF FIREWORKS

The Board of County Commissioners of Franklin County, Indiana, having adopted an Ordinance Regulating the Use of Fireworks on August 27, 2007, Ordinance No. 2007-15, and having determined that said Ordinance needs to be amended as to permitted times of using special fireworks, and further providing for a means of permitting the use of special fireworks outside of approved hours, now Ordains as follows:


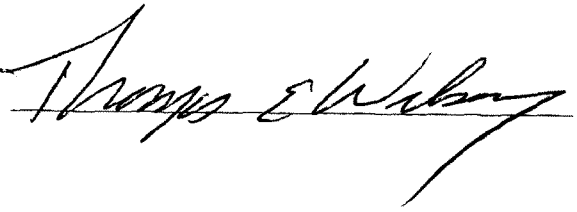
1. Fireworks, as defined by I.C. 22-11-14-1, are any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of common fireworks and special fireworks, and the following items are excluded from the definition of fireworks:
 - a. Model rockets;
 - b. Toy pistol caps;
 - c. Emergency signal flares;
 - d. Matches;
 - e. Fixed ammunition for firearms;
 - f. Ammunition components intended for use in firearms, muzzle loading cannons or small arms;
 - g. Shells, cartridges and primers for use in firearms, muzzle loading cannons or small arms;
 - h. Indoor pyrotechnics special effects material.
2. Common fireworks include those ground devices containing 50 milligrams or less of explosive composition and areal devices containing 130 milligrams or less of explosive composition. Included in the definition of fireworks are:
 - a. Ground and hand-held sparkling devices, which include dipped-stick, certain wire sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, ground spinners, and flitter sparklers'
 - b. Areal devices, which include sky rockets, missile-type rockets, helicopter or areal spinners, roman candles, mines, and shells;
 - c. Ground audible devices, including firecrackers, salutes, and chasers;
 - d. Firework devices containing combinations of any two (2) or more of the effects described in the preceding three (3) clauses.
3. Special Fireworks include firecrackers containing more than 130 milligrams of explosive composition, areal shells containing more than 40 grams of pyrotechnic composition, and other exhibition display items that exceed the limits for classification as common fireworks.
4. Consumer fireworks are either common fireworks or special fireworks, and the use of special fireworks shall be limited as follows:
 - a. Between the hours of 5:00 o'clock p.m. and 11:00 o'clock ~~p~~^am. on June

29, June 30, July 1, July 2, July 3, July 5, July 6, July 7, July 8, and July 9;

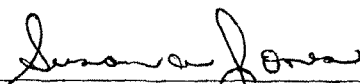
- b. Between the hours of 10:00 o'clock a.m. and 12:00 o'clock midnight on July 4; and between the hours of 10:00 o'clock a.m. on December 31 and 1:00 o'clock a.m. on January 1.
- 5. Any person or entity seeking to use special fireworks except as provided in Paragraph #4 above, must make a request for such usage in writing to the Board of County Commissioners at least forty-five (45) days prior to such usage, specifying the types of special fireworks to be used, the place such fireworks would be used, and the times of such usage.
- 6. This Ordinance maybe enforced by any Law Enforcement Officer within Franklin County; violations of this Ordinance shall be punishable by a fine not to exceed Five Hundred (\$500.00.) Dollars.

PASSED, ORDAINED AND ADOPTED by the Board of County Commissioners of Franklin County, Indiana this 27th day of July, 2009.

Board of County Commissioners
of Franklin County, Indiana:

Attest:


AUDITOR, FRANKLIN COUNTY